

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JESSE RAMIREZ,

Petitioner,

v.

PAUL THOMPSON, *et al.*,

Respondents.

Case No. 2:21-cv-01837-WBS-JDP (HC)

ORDER DENYING PLAINTIFF'S MOTION
TO CONSIDERING FILINGS IN A
DIFFERENT CASE

ECF No. 7

On December 14, 2021, respondent filed a motion to dismiss the petition. ECF No. 6. In response, petitioner filed a document explaining that he has not been able to prepare an opposition due to an outbreak of Covid at his prison. ECF No. 7. Instead of requesting additional time to prepare an opposition, he asks the court to consider an opposition that a different petitioner filed in another case pending in this district. *Id.*; *see Kelley v. Thompson*, Case No. 2:21-cv-01813-JAM-KJM (E.D. Cal. 2021), ECF No. 10. While the opposition filed in the other action addresses a motion to dismiss that is nearly identical to one respondent filed in the instant case, that opposition cannot be considered in resolving respondent's motion. Petitioner—who is not a party to the other case—is required to sign and file his own pleadings. *See Fed. R. Civ. P.* 11(a).

Petitioner's motion is therefore denied. Petitioner, however, will be granted a brief extension so that he can prepare and file his own opposition to respondent's motion to dismiss.

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2 Accordingly, it is hereby ORDERED that:

3 1. Petitioner's filing at ECF No. 7 is construed as a motion.
4 2. So construed, petitioner's motion, ECF No. 7, is denied.
5 3. Petitioner is granted thirty days from the date of this order in which to file an
6 opposition to respondent's motion to dismiss.

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8 IT IS SO ORDERED.

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10 Dated: January 21, 2022

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JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE